

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE WESTERN DIVISION

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SCOTT TURNAGE , CORTEZ D.  
BROWN, DEONTAE TATE, JEREMY S.  
MELTON, ISSACCA POWELL, KEITH  
BURGESS, TRAVIS BOYD, TERRENCE  
DRAIN, and KIMBERLY ALLEN on  
behalf of themselves and all similarly  
situated persons,

Plaintiffs,

v.

BILL OLDHAM, in his individual capacity and in  
his official capacity as the Sheriff of Shelby County,  
Tennessee; ROBERT MOORE, in his individual  
capacity and in his official capacity as the Jail  
Director of Shelby County, Tennessee;  
CHARLENE MCGHEE, in her individual capacity  
and in her official capacity as the Assistant Chief of  
Jail Security of Shelby County, Tennessee; DEBRA  
HAMMONS, in her individual capacity and in her  
official capacity as the Assistant Chief of Jail  
Programs of Shelby County, Tennessee; SHELBY  
COUNTY, TENNESSEE, a Tennessee  
municipality; and TYLER TECHNOLOGIES,  
INC., a foreign corporation; GLOBAL TEL\*LINK  
CORPORATION, a foreign corporation;  
SOFTWARE AG USA, INC., a foreign corporation;  
SIERRA-CEDAR INC., a foreign corporation;  
SIERRA SYSTEMS GROUP, INC., a foreign  
corporation, and TETRUS CORP, a foreign  
corporation,

Defendants.

Civil Action No. 2:16-cv-02907-SHM-  
tmp

(Hon. Judge Samuel H. Mays)

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DEFENDANTS' SECOND MOTION AND SUPPORTING MEMORANDUM FOR  
EXTENSION OF TIME TO RESPOND TO PLAINTIFFS' MOTION AND  
MEMORANDUM FOR DISCOVERY CONFERENCE, TO PERMIT MERITS-BASED  
DISCOVERY, TO COMPEL DEPOSITIONS, AND FOR SANCTIONS AND FEES

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Pursuant to Rules 6 and 12 of the Federal Rules of Civil Procedure and other applicable provisions of law, the Shelby County Defendants;<sup>1</sup> Tyler Technologies, Inc.; Global Tel\*Link Corporation; Software AG USA, Inc.; Sierra-Cedar, Inc.; Sierra Systems Group, Inc.; and Tetras Corp. (collectively, “Defendants”), respectfully move the Court for a second extension through and including Thursday, April 9, 2020, of their time to respond to Plaintiffs’ Motion and Memorandum for Discovery Conference, to Permit Merits-Based Discovery, to Compel Depositions, and for Sanctions and Fees (“Motion”). (ECF No. 291). In support of their Motion, Defendants state as follows:

MEMORANDUM OF FACTS AND LAW IN SUPPORT OF MOTION

1. Plaintiffs filed their Motion on March 5, 2020. (ECF No. 291). Defendants’ responsive pleading was originally due to be filed on or before Thursday, March 19, 2020.

2. On March 17, 2020, before the Defendants’ original time to file a responsive pleading had expired, the Defendants submitted their Motion for Extension of Time to File requesting that such deadline be extended by seven (7) days. (ECF Nos. 294-295). This request was granted in the Court’s Text Order dated March 19, 2020 (ECF No. 296), and the time in which to file was extended through March 26, 2020.

3. As grounds for their first Motion for Extension of Time to File, Defendants cited the complexity of this class action lawsuit, the need for additional time to investigate the Motion’s allegations, and the issues arising due to the COVID-19 pandemic, which was declared a national emergency on March 13, 2020.

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<sup>1</sup> The Shelby County Defendants include Bill Oldham, Robert Moore, Charlene McGhee, Debra Hammons, Floyd Bonner, Kirk Fields, Reginald Hubbard, Tiffany Ward and Shelby County, Tennessee.

4. In the time since Defendant's first Motion for Extension of Time to File was submitted to the Court, the COVID-19 outbreak has significantly worsened, leading local governments to implement more drastic measures to slow the spread of the virus. Memphis Mayor Jim Strickland and Shelby County Mayor Lee Harris each declared a local state of emergency on March 18 and 20, respectively. On March 24, 2020, the "Safer at Home" executive order issued by Mayor Strickland took effect, requiring Memphians to remain inside their residences, non-essential businesses to discontinue operations, and local travel to be halted unless necessary to meet essential needs.

5. In light of these circumstances, Defendants would submit that they need additional time to complete their response(s) to Plaintiffs' Motion and compile supporting exhibits for submission to the Court.

6. Pursuant to Local Rule 7.2(a)(1)(B), counsel for Shelby County Defendants Odell Horton, Jr., consulted with Plaintiffs' counsel Michael McLaren on behalf of all Defendants regarding a fourteen (14) day extension.

7. Mr. McLaren consents to Defendants' Second Motion for Extension of Time.

8. This Second Motion for Extension of Time is not intended to delay the Plaintiffs' lawsuit in any way.

9. A proposed order granting the Second Motion for Extension of Time will be e-mailed to the Court for its consideration.

Therefore, Defendants respectfully request the Court extend their time to respond to Plaintiffs' Motion by fourteen (14) days, through and including April 9, 2020.

Respectfully submitted,

/s/ Meghan M. Cox  
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**CERTIFICATE OF CONSULTATION**

On March 25, 2020, Michael McLaren, co-counsel for Plaintiffs, and Odell Horton, Jr., co-counsel for Shelby County Defendants, conferred via telephone and e-mail regarding this Second Motion for Extension of Time. Mr. McLaren agreed to the relief requested herein.

/s/ Meghan M. Cox

**CERTIFICATE OF SERVICE**

The undersigned certifies that on March 26, 2020, a true and correct copy of the foregoing has been served upon the following counsel, via the Court's ECF filing system:

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